United States District Court Southern District of Texas

## **ENTERED**

May 17, 2021 Nathan Ochsner, Clerk

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| GEORGE FLORES                   | § |                                |
|---------------------------------|---|--------------------------------|
| and                             | § |                                |
| TODD SCHAFFER                   | § |                                |
| and                             | § |                                |
| CARLOS LEONARDO DELCID, et al,  | § |                                |
|                                 | § |                                |
| Plaintiffs,                     | § |                                |
| VS.                             | § | CIVIL ACTION NO. 4:21-CV-00027 |
|                                 | § |                                |
| ACCC GENERAL AGENCY, INC. d/b/a | § |                                |
| ACCC INSURANCE COMPANY,         | § |                                |
|                                 | § |                                |
| Defendant.                      | § |                                |
|                                 | v |                                |

## **ORDER**

On this day, the Court considered the defendant, ACCC General Agency, Inc.'s ("ACCC"), motion to dismiss the plaintiffs' January 6, 2021 Complaint pursuant to Fed. R. Civ. P. 12(b)(6) (Dkt. No. 9). The Court, having considered the motion to dismiss, objection(s) and response(s) thereto, and argument of counsel, if any, finds as follows:

ACCC's motion to dismiss, filed pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure has merit and should be granted.

It is further ORDERED that the plaintiffs shall amend their Complaint, if necessary or appropriate, within 30 days.

It is so ORDERED.

SIGNED on this 17<sup>th</sup> day of May, 2021.

Kenneth M. Hoyt

United States District Judge